

REMARKS

Applicant has reviewed the Office Action dated July 17, 2007. Claims 2-15, 17-29, and 38-64 were pending in the application. The Examiner indicated that claims 14, 19, and 20 were allowed and that claims 6-10, 24-27, 47-51, 55, 61 and 62 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. With this amendment, Applicant has amended the claims of this application to take the allowed claims to issue as explained more fully below.

The Examiner indicated that claims 14, 19 and 20 are allowable. Further, the Examiner indicated that claims 6-10, 24-27, 47-51, 55, 61, and 62 would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claim. Applicant has amended claims 6, 9, 10, 24, 47, 55, and 61 into independent form including all of the limitations of the base claim and any intervening claim. Therefore, these claims are allowable along with any claims that depend from these claims.

The Examiner rejected claims 38-40, 46 and 60 under 35 U.S.C. §112, first paragraph as failing to comply with the written description requirement regarding the term “fixed delay.” Applicant respectfully traverses this rejection. However, to expedite prosecution, Applicant has canceled claims 38-40, 46 and 60. Therefore, withdrawal of the rejection is respectfully requested.

The Examiner rejected claims 3-5, 11, 12, 15, 17, 18, 21-23, 28-29, 38-41, 43-46, 52-54, 56-60, and 63-64 under 35 U.S.C. §102(a) as being anticipated by May et al. Applicant respectfully traverses this rejection. However, to expedite prosecution of the application, Applicant has amended the claims to take the allowed claims to issue as follows:

Canceled: Claims 5, 11, 12, 15, 17, 18, 21-23, 38-41, 45, 46, 56, 57, and 60 have been canceled and thus the rejection is now moot with respect to these claims.

Dependency changed: Claims 3, 28, 29, 43, 52, 54, 58, 59, 63, and 64 have been amended to depend from claims that have been indicated as allowable. For example, claim 3 has been amended to depend from claim 6 which was indicated as allowable.

Depend from allowable claim: Claims 4, 44, and 53 now depend from an allowable claim due to amendments to the claim from which they depend. For example, claim 4 now depends from claim 3 which depends from allowable claim 6.

Withdrawal of the rejection is respectfully requested.

The Examiner also rejected claims 2, 13, 28, and 42 as being unpatentable under 35 U.S.C. §103(a) based on May in view of other references. Applicant respectfully traverses these rejections. However, to expedite prosecution, Applicant has amended the claims to take the allowed claims to issue. For example, claim 13 has been canceled. Claim 2 has been amended to depend from claim 6 (indicated as allowable). Claim 28 has been amended to depend from claim 24 (indicated as allowable) and claim 42 has been amended to depend from claim 47 (indicated as allowable). Withdrawal of the rejection is respectfully requested.

The Examiner objected to claim 42 for a typo in the term “Nyquist-type.” This has been corrected in claims 42, 47, and 48.

In view of the foregoing amendments and remarks, Assignee respectfully requests reconsideration and reexamination of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 502432.

Respectfully submitted,

/David N. Fogg/

Dated: January 17, 2008

By: _____
David N. Fogg
Reg. No. 35138

Attorneys for Applicant
Fogg & Powers LLC
P.O. Box 581339
Minneapolis, MN 55458-1339
T – (612) 332-4720
F – (612) 332-4731